

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

WILLIAM MEEKINS,	:
	:
Plaintiff	:
	:
v.	: CIVIL NO. 3:CV-06-290
	:
JEFFREY BEARD, <u>et al.</u> ,	: (Judge Kosik)
	:
Defendants	:

ORDER

**NOW, THIS 14th DAY OF FEBRUARY, 2008, IT IS HEREBY
ORDERED AS FOLLOWS:**

1. Plaintiff's motion for sanctions (Doc. 53), motion to compel and for sanctions (Doc. 54) and motion to compel (Doc. 61) are **deemed withdrawn** for failure to file supporting briefs in accordance with M.D. Pa. Local Rule 7.5.
2. Plaintiff's motion for a thirty (30) day enlargement of the discovery deadline (Doc. 58) filed on May 11, 2007, is granted nunc pro tunc.¹
3. Defendants' motion for enlargement of time to file a dispositive motion (Doc. 62) submitted on May 31, 2007, is granted nunc pro tunc. The motion for summary judgment filed by Defendants on August 7, 2007 will be deemed timely filed.

¹ The court assumes that because this motion was filed nine (9) months ago and because Plaintiff has both filed his own dispositive motion and responded to a dispositive motion filed by Defendants, that he has had the additional time requested to complete discovery. Accordingly, no further discovery period will be ordered.

4. Plaintiff's motion for judgment due to Defendants' failure to oppose his motion for summary judgment (Doc. 63) is **denied**.²
5. Plaintiff's motion for relief due to Defendants failure to defend and timely file dispositive motion (Doc. 77) is **denied** in light of the timely filing of Defendants' motion for summary judgment on August 7, 2007.
6. Plaintiff's motion to dismiss his original brief in support of summary judgment and substitute proposed supporting brief (Doc. 73) is **granted**. Document 74 will be accepted as Plaintiff's brief in support of his motion for summary judgment.³

s/EDWIN M. KOSIK
United States District Judge

² Plaintiff filed his motion for summary judgment and supporting brief on May 21, 2007. Defendants timely submitted their opposing brief on June 6, 2007. Pursuant to M.D. Pa. Local Rule 7.6, a brief opposing a pretrial motion is due within fifteen (15) days after service of the movant's brief. Also added to this time period is three (3) days for mailing pursuant to Fed. R. Civ. P. 6(e).

³ Defendants are not prejudiced by this ruling in that they also submitted further opposition to Plaintiff's motion for summary judgment following Plaintiff's submission of the instant motion. Further, Defendants have filed a cross-motion for summary judgment in this matter.